

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

John Wesley Slagle,	:	
	:	
Petitioner(s),	:	
	:	Case Number: 1:12cv839
vs.	:	
	:	Chief Judge Susan J. Dlott
Warden, Belmont Correctional Institution,	:	
	:	
Respondent(s).	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on July 15, 2013 Report and Recommendations (Doc. 25). Subsequently, the petitioner filed objections to such Report and Recommendation (Doc. 27) and respondent filed a response to the objections (Doc. 28).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, the petitioner's motion for relief from judgment (Doc. 24) is **DENIED** since the petitioner has not shown mistake or the excusable neglect that would entitle him for relief under Fed. R. Civ. P. 60(b).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court